

DEC. 14. 2005 12:44PM

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NO. 5637 P. 1

PTO/SB/87 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

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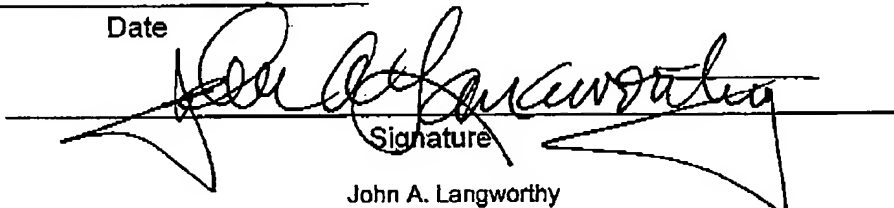
## Certificate of Transmission under 37 CFR 1.8

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32,255

(302) 992-4362

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SN 10/691,056

Examiner Edwards, Art Unit 1774

CL-1453 US CIP

Terminal Disclaimer

Fee Sheet

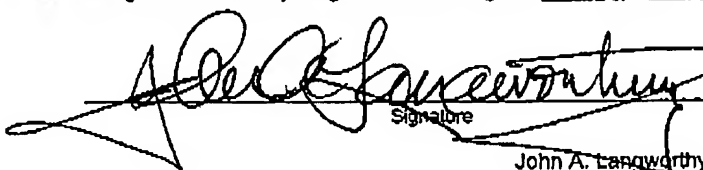
Page \_\_\_\_ of \_\_\_\_

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/25 (09-04)

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<b>TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION</b>	Docket Number (Optional) <b>CL-1453 US CIP</b>
<p>In re Application of: <b>Glen E. Simmonds et al</b></p> <p>Application No.: <b>SN 10/691,056</b></p> <p>Filed: <b>October 21, 2003</b></p> <p>For: <b>Stretch Break Method and Product</b></p>	
<p>The owner*, <u>E.I. du Pont de Nemours and Company</u> of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number <u>SN 11/030,000</u>, filed on <u>January 5, 2005</u>, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application." In the event that any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. <u>32,255</u></p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">             _____            Signature         </div> <div style="text-align: center;"> <u>December 14, 2005</u>            _____            Date         </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> <u>John A. Langworthy</u>            _____            Typed or printed name         </div> <div style="text-align: center;"> <u>(302) 992-4362</u>            _____            Telephone Number         </div> </div> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p>	
<p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p>	
<p>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner) <u>12/15/2005 MBINAS</u> <u>00000041 041928</u> <u>10 91056</u>          Form PTO/SB/98 may be used for making this statement. See MPEP § 324.</p>	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number 10/681,056  
 Filing Date October 21, 2003  
 First Named Inventor Glenn E. Simmonds  
 Examiner Name Edwards  
 Group / Art Unit 1774  
 Attorney Docket No. CL-1453 US CIP

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**TOTAL AMOUNT OF PAYMENT** (\$) 130**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ **Deposit Account:**Deposit  
Account  
Number

04-1928

Deposit  
Account  
Name

E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		101	740	Utility filing fee	
		106	330	Design filing fee	
		107	510	Plant filing fee	
		108	740	Reissue filing fee	
		114	160	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

Total Claims	15	-20	=	0	X	18	=	0
Independent Claims	1	-3	=	0	X	84	=	0
Multiple Dependent					X	280	=	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		103	18	Claims in excess of 20	
		102	84	Independent claims in excess of 3	
		104	280	Multiple dependent claim, if not paid	
		109	84	** Reissue independent claims over original patent	
		110	18	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		105	130	Surcharge - late filing fee or oath	
		127	50	Surcharge - late provisional filing fee or cover sheet	
		139	130	Non-English specification	
		147	2,520	For filing a request for reexamination	
		112	920*	Requesting publication of SIR prior to Examiner action	
		113	1,840*	Requesting publication of SIR after Examiner action	
		116	110	Extension for reply within first month	
		118	400	Extension for reply within second month	
		117	820	Extension for reply within third month	
		118	1,440	Extension for reply within fourth month	
		128	1,950	Extension for reply within fifth month	
		119	320	Notice of Appeal	
		120	320	Filing a brief in support of an appeal	
		121	280	Request for oral hearing	
		138	1,510	Petition to institute a public use proceeding	
		140	110	Petition to revive - unavoidable	
		141	1,280	Petition to revive - unintentional	
		142	1,280	Utility issue fee (or reissue)	
		143	460	Design issue fee	
		144	620	Plant issue fee	
		122	130	Petitions to the Commissioner	
		123	50	Processing fee under 37 CFR 1.17(q)	
		126	180	Submission of Information Disclosure Stmt	
		591	40	Recording each patent assignment per property (times number of properties)	
		146	740	Filing a submission after final rejection (37 CFR § 1.129(a))	
		149	740	For each additional invention to be examined (37 CFR § 1.129(b))	
		179	740	Request for Continued Examination (RCE)	
		169	900	Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer (120(d))

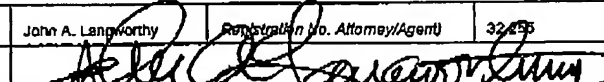
130.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	John A. Langworthy	Registration No. Attorney/Agent	32255	Telephone	(302) 992-4362
Signature		Date	December 14, 2005		

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